

**Report to the Legislature
on
Statewide Judgeship Need**

Prepared by
the
Judgeship Needs
Standing Advisory Committee

Approved by the
Judicial Council of California
on
June 13, 1995

Distributed by the
Administrative Office of the Courts
303 - 2nd Street, South Tower
San Francisco, CA 94107

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100

**Judicial Council
Judgeship Needs
Standing Advisory Committee**

Hon. Thomas F. Nuss, Chair
Judge of the Superior Court (Ret.)
Los Angeles County

Mr. Todd H. Barton
Court Executive Officer
Kings County Consolidated Courts

Ms. Rosalie Marquez
Clerk/Administrative Officer
North Santa Barbara County Municipal Court

Hon. Janice Rogers Brown
Associate Justice
Court of Appeal
Third Appellate District

Mr. Kevin McGee
Assistant District Attorney
Ventura County

Hon. Rick S. Brown
Judge of the Municipal Court
North Santa Barbara County Municipal Court

Hon. David L. Minning
Judge of the Municipal Court
Los Angeles Municipal Court

Mr. Alan Carlson
Chief Executive Officer
San Francisco Superior Court

Mr. Glen Mowrer
Public Defender
Santa Barbara County

Mr. Dwight E. Dickerson
Managing Attorney
Legal Aid Society of Alameda County

Mr. D. Kent Pedersen
Court Administrator
San Diego Municipal Court

Mr. James A. Fox
District Attorney
San Mateo County

Hon. James L. Roeder
Presiding Judge of the Superior Court
Placer County

Mr. Dallas Holmes
Attorney
Best, Best & Krieger

Mr. Alan Slater
Executive Officer
Orange County Superior Court

Hon. Phil Isenberg
Member of the Assembly

Hon. Sandra A. Thompson
Judge of the Municipal Court
South Bay Municipal Court

Hon. Joe O. Littlejohn
Judge of the Superior Court
San Diego County

Mr. Ken Torre
Executive Officer/Clerk
San Mateo County Superior Court

Hon. Bill Lockyer
Member of the Senate

Ms. Betty Wentworth Trotter
Consultant
League of Women Voters of California

Consultant
Mr. William Poos (HWP Consulting)

AOC Staff
Mr. William C. Vickrey, Executive Director
Mr. Martin Moshier, Manager, Court Program Services
Ms. Denise Friday, Project Manager
Mr. Adam Byer
Ms. Vicki Muzny
Ms. Jennifer Chow

CCCCCCCCCCCCCCCC

TABLE OF CONTENTS

	PAGE NO.
I. EXECUTIVE SUMMARY	1
II. SUMMARY OF JUDGESHIP NEED	9
III. RANKING OF SEVERITY BY NEED	13
IV. JUDGESHIP NEEDS REPORTS	
Alameda County Superior Court	15
Livermore-Pleasanton-Dublin Municipal Court	16
Amador County Superior and Justice Courts	17
Butte County Superior Court	18
Contra Costa County Superior Court	19
Del Norte County Superior Court	20
El Dorado County Municipal Court	21
El Dorado County Superior Court	22
Fresno County Superior Court	23
Consolidated Fresno Municipal Court	24
Humboldt County Superior Court	25
Imperial County Superior and Municipal Courts	26
Kern County Superior Court	27
East Kern Municipal Court	28
North Kern Municipal Court	29
South Kern Municipal Court	30
Kings County Consolidated Courts	31
Lassen County Courts	32
Los Angeles County Superior Court	33
Inglewood Municipal Court	34
Malibu Municipal Court	35

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100

TABLE OF CONTENTS

	PAGE NO.
Beverly Hills Municipal Court	36
Citrus Municipal Court	37
Glendale Municipal Court	38
Whittier Municipal Court	39
Madera County Superior Court	40
Mendocino County Unified Courts	41
Merced County Superior Court	42
Orange County Superior Court	43
Placer County Superior Court	44
Placer County Municipal Court	45
Plumas Justice Court	46
Consolidated Courts of Riverside County	47
Three Lakes Municipal Court	48
Sacramento County Superior and Municipal Courts	49
San Bernardino County Courts	50
San Diego County Superior Court	51
North County Municipal Court	52
San Francisco County Superior and Municipal Courts	53
San Joaquin County Superior Court	54
San Luis Obispo County Superior Court	55
San Mateo County Superior Court	56
San Mateo County Municipal Court	57
Santa Maria Municipal Court	58
Solvang Justice Court	60
Santa Cruz County Superior Court	61
Shasta County Courts	62
Siskiyou County Superior Court	63
Solano County Superior Court	64
Sonoma County Superior and Municipal Courts	65

TABLE OF CONTENTS

	PAGE NO.
Stanislaus County Superior Court	66
Stanislaus County Municipal Court	67
Ventura County Superior and Municipal Courts	68
Appendix	69



I. EXECUTIVE SUMMARY

Background

In November 1987 the Judicial Council directed the Administrative Office of the Courts (AOC) to study alternative methods of determining judgeship needs. In 1988 an ad hoc committee was created to examine alternative judgeship needs methodologies. The ad hoc committee reviewed a number of methodologies, reviewed prototype models, and provided direction on the substantive characteristics a judgeship needs model should incorporate. The ad hoc committee concluded its work in 1989 by recommending the creation of a formal advisory committee to develop a new methodology to replace the weighted caseload approach.

In March 1990 the Court Profiles Advisory Committee (the present Judgeship Needs Advisory Committee) was created to develop a new methodology to replace the weighted caseload approach. The advisory committee determined that the most appropriate method for assessing judgeship needs in California was one based on a quantitative measure of the amount of judicial time needed to hear and resolve the issues in a case. In addition, the method should also be sensitive to other factors affecting the time available, or needed, for hearing and deciding a case.

As a starting point the committee established the following definition of judgeship needs to be used as a guideline for measuring a court's need for judicial resources:

A court needs additional judgeships when the efficient use of available resources cannot meet demand in a just and timely manner.

In addition, the advisory committee considered three approaches for assessing judicial needs: (1) the use of raw data based on several factors, e.g., unweighted filings, total pending cases, jury trial rates, etc. The distinguishing feature of the approach is that the information about a court's workload would not be subject to a quantitative calculation, as is done with the weighted caseload methodology; (2) modifications to the weighted caseload methodology, with other supplemental factors; and (3) use of simulation techniques and quantitative models other than weighted caseload to mathematically model the court process and calculate the need for judicial resources.

After reviewing the alternatives, the advisory committee chose the third approach which it believed best met its criteria and definition of judgeship needs.

In November 1992 the Judicial Council approved the advisory committee's conceptual model for identifying the need for new permanent judgeship positions in trial courts.

Judgeship needs methodology

The judgeship needs methodology is based on a combination of quantitative and qualitative factors. The quantitative factors are derived from an analysis of actual trial court data that have been found to affect the need for judicial resources. This information will be analyzed using a model that simulates a court's operation to determine judgeship needs, based on data gathered on (1) the number and composition of case filings; (2) case processing and disposition patterns; (3) typical times spent by a judge hearing proceedings within a case; (4) applicable case processing time standards and statewide benchmarks; and (5) acceptable pending caseload levels.

The qualitative information includes those factors that might be quantified but were excluded from the quantitative model due to the high cost of data collection or imprecise effects on judgeship needs.

The simulation model

Simulation is a powerful tool that a wide variety of industries use to address complex problems. Using simulation to determine judgeship needs affords the opportunity to build a complex model that can account for factors that may not exist in every court, but may affect judgeship need. For example, by adjusting the certified plea component, the model could account for a superior court's not having to sentence felony cases in which the defendant pleads guilty and is sentenced in the municipal court.

The first step in developing the simulation methodology is to build a model. The advisory committee chose the criminal court process as the prototype to represent the concepts and components of a more comprehensive judgeship needs model. The model built for the criminal court system, and subsequent case types, was a schematic developed by diagramming the flow of criminal cases through the court system. There are various stages to the process and at any stage a variety of court events or activities can occur. The process was broken down into four stages: (1) first appearance; (2) pretrial; (3) trial; and (4) sentencing. Simulation puts the schematic model into action by simulating the flow of a large number of cases through the court system. The model is a representation of the dynamic process, while the simulation is a representation of the process in action. Simulation puts the operations of the court system into action over time by processing cases through the various stages in their natural order, based upon "live" or historical data from a sample of cases.

Use of the model

In order to use the simulation model to estimate judgeship needs in a particular court, it is necessary to run several simulations. Each simulation represents a possible scenario of events in a court over a period of time. The outputs from a "simulation run" are estimates of case-processing times, pending caseload, and the proportion of cases that meet statutory time requirements and statewide benchmarks. These results, or outputs, are influenced by the inputs, which include projected filings by case type, estimated disposition patterns, and variables such as the typical judicial time spent on each phase of a case, e.g., jury selection. Another input is the number of judges available to process

cases. This differs from the weighted caseload model in which the number of judges required is the output of the analysis rather than an input.

The methodology identifies judgeship needs by identifying the minimum number of judges necessary to satisfy case processing standards assuming the efficient use of available resources as established by the advisory committee. For example, if a simulation run with seven judges indicates that a court would not be able to meet case processing standards for a given caseload, but runs with eight judges indicates that the court would be able to meet the standards, then the quantitative methodology would indicate a need for eight judges. Therefore, it is necessary to run several simulations, each with a different number of judgeships, in order to estimate judgeship needs in a particular court.

Besides estimating judgeship needs, simulation can also justify need in other practical terms that decision-makers can understand. For example, a simulation may predict that with seven judges only 70 percent of general civil cases will be processed in less than one year, compared to the standard of 90 percent.

While no methodology can precisely compute the judicial time necessary to process cases in a just, yet efficient manner, the judgeship needs methodology uses estimates of necessary judicial time to predict the number of judges needed to meet demand in a timely manner.

Use of statewide benchmarks

The Judgeship Needs Advisory Committee has determined that the use of statewide benchmarks is necessary in order to establish the credibility of the model. The model has been designed so as to avoid determining needs based on status quo operation. The statewide benchmarks are intended to reflect effective and efficient operations, as opposed to averages across courts. However, it is also recognized that courts are unique and that there are many relevant differences for which a court could be penalized or rewarded by the exclusive use of statewide benchmarks. Therefore, initial determination of judgeship needs will be based on statewide benchmarks for specific variables. If a court appeals the initial evaluation, the model will be rerun for courts, at the discretion of the advisory committee, using court-specific data (if available) in lieu of the benchmarks.

Source and type of data

Quantitative data used by the model is gathered by participating courts on a continuous sampling basis and reported to the AOC for analysis. These data serve as the basis of input for the model for court-specific values and, generally, for the derivation of statewide benchmark values. Court-specific data include variables that are beyond the court's control and which vary from court to court, such as the number and composition of filings, as well as other variables like time spent on jury selection and the number of events per case.

Court-specific data is actual data from the trial courts relating to a particular case type, e.g., criminal, and is reported either as "live" or historical data:

- In "live" data collection the courtroom clerk records specific events and the time to complete the event, relating to randomly selected cases from filing through disposition of the case, as well as any post-disposition activity. In addition, 100 percent of all trials are tracked from motions in limine through the rendering of the verdict. Also, for all tracked cases, including trials, the judge is requested to provide information about off-bench time spent on the case.
- Historical data collection involves recording data about a sample of cases that are closed or inactive.

Data collection

All trial courts participating in the data collection program so far have done so voluntarily. Currently, there are 11 different trial courts participating in live data collection in the following areas: 7 criminal; 7 civil; 6 family law; and 4 juvenile.

A historical data collection program was conducted in Summer 1994 to collect data on civil cases in nine superior and municipal courts; and in seven superior courts for both family law and juvenile case types. In historical data collection, information was collected from a minimum of 275 closed or inactive case files for the specified case type.

Data collection by sampling, as opposed to snapshot studies or collecting data on every case, improves the accuracy of the data and reduces the burden of its collection. Ongoing collection will become a routine part of court activities and will require less training. It is contemplated that the data would be analyzed annually to update the model and calculate the benchmark and court-specific variable values. In addition, procedures have been established for the auditing of the data reported.

Process for requesting judicial positions

In July 1994, in order to comply with the Trial Court Budget Commission's request for a recommendation for statewide judicial positions, the Judgeship Needs Advisory Committee informed trial courts of the procedural steps for requesting new judicial positions. Trial courts with a need for additional judicial positions were asked to:

- Report the existing number and type of authorized judicial officers in the court, and indicate the number of filled and vacant positions.
- Indicate the number of requested judicial positions for which the court could provide facilities and support staff. (Due to this caveat, in some instances the number requested was less than the court's estimated judicial needs.)
- Complete a questionnaire providing qualitative information about the court. This information will be used in conjunction with quantitative factors to provide the basis for the initial determination of judgeship needs.

In response, initial judicial needs requests were received from 61 superior and municipal courts, requesting a total of 203.75 judicial positions.

Process for determining judicial need

In February 1995 two omnibus judgeship bills were introduced in the Senate and the Assembly: Senate Bill No. 874 and Assembly Bill No. 1818, respectively. In order to meet legislative deadlines, an intensive effort was undertaken to collect the type of data needed to run the simulation model for the quantitative analysis. Therefore, trial courts requesting additional judicial positions were encouraged to provide historical data collection to supplement the live and historical data previously collected. Of the 61 trial courts requesting judicial positions, 28 courts submitted historical data for one or more of the four case types.

An ad hoc committee of judges was assembled to develop the benchmarks for the simulation model. The ad hoc committee used the trial court data where available. However, since this data was limited, a Delphi approach was also used to develop the benchmarks.

The Administrative Office of the Courts (AOC) contracted with a consulting firm to provide temporary technical assistance in data analysis and running the simulations using the benchmarks and trial court data. However, as the work progressed, it became apparent that due to the nature of the model, which is data driven, it would not be feasible to use the simulation model to determine judgeship needs this year for several reasons:

1. One of the essential advantages of the new judgeship needs methodology is the use of court-specific information about the mix of cases relevant to judgeship needs. Although trial courts requesting judicial positions were asked to submit the data, it was not available for all courts requesting judgeships.
2. Another advantage of the new judgeship needs methodology is the use of court-specific case processing and disposition patterns that affect judge need. Again, sufficient data was not available from each court requesting judges to perform this analysis.
3. The use of benchmarks produced anomalous results for courts where court-specific case mix and disposition pattern data were not available.
4. Additional time was needed to further validate the model prior to running the simulation. The validation process is necessary to ensure that the results the model would produce are consistent with reality.

Due in part to the limitations of the data, the advisory committee decided not to use the simulation aspect of the methodology this year, and instead based its recommendations on the qualitative information submitted by the courts, and the statistical information reported to the AOC by the trial courts.

It is important to note that the advisory committee did not reject the use of the simulation model altogether; in fact, when run with court-specific data and benchmarks, the simulation model proved to accurately predict the actual experience of the courts simulated. However, more court-specific data is needed to determine judgeship needs.

Judicial needs evaluation

The advisory committee held meetings in February and April to review the qualitative reports submitted by the trial courts, and to assess each court's judicial needs. In reviewing the information, the committee focused on several primary sources:

1. Workload indicators - included analysis of five-year filing trend reports and workload comparisons between courts of similar size.
2. Judicial position equivalents - actual judge usage was reviewed in relationship to vacancies and workload indicators to evaluate whether the court's judicial needs request was supported by its use of judicial resources in the recent past.
3. Coordination - the extent of coordination between courts was considered, particularly in the area of judicial coordination. Trial courts that were coordinated were viewed more favorably than those that were not, unless it was apparent that a court had a judicial need regardless of its coordination status.
4. Use of pro tems - the extent of pro tem use was considered, particularly as relates to the type of work performed, such as hearing small claims and traffic matters in municipal court; settlement conferences and short matters in superior court; and to cover judicial vacancies in either court.

These sources were expanded into working principles, or guidelines, to facilitate the consistent evaluation of judicial needs across courts. The working principles are included in the appendix to this report.

The advisory committee's preliminary recommendations based upon the analysis of a court's request and workload data were detailed in the Preliminary Report on Statewide Judgeship Needs. The preliminary report was distributed to the members of the Judicial Council for consideration at their May meeting.

Judicial Council consideration

On May 11, 1995, the Judicial Council approved the Judgeship Needs Advisory Committee's recommendation for the creation of 61 new superior and municipal court judgeships. The council also approved the committee's methodology and the ranking of these courts based upon the severity of need. Approval, however, was given with the provision that while trial courts would be allowed to appeal the advisory committee's recommendation, the total number of judicial positions should not exceed the original recommendation of 61 judges.

Appeals process

Copies of the Preliminary Report on Statewide Judgeship Needs were distributed in mid-May to the presiding judge and court executive officer of each court submitting a judgeship needs request. A memo accompanied the report detailing the procedures to be used for the appeal process and the deadline for submitting an appeal.

Appeals for additional judgeships were received from 16 trial courts. In addition, 7 courts submitted statements to the advisory committee to either appeal or solidify their positions in the ranking by severity of need.

The Judgeship Needs Advisory Committee met in early June to review and consider the trial court appeals. In reviewing the appeals, the advisory committee focused on the following areas:

- whether the court provided additional information that was significantly different from that provided in its original request;
- whether the additional information demonstrated a clear and critical need for judicial positions; and
- the court's statements on its current level of judicial coordination and, where available, review of the court's quarterly coordination report submitted by June 1, 1995.

At the completion of the appeal process, the advisory committee approved, for recommendation to the Judicial Council, one new judgeship for the Butte Superior Court and the conversion of a commissioner to a judgeship for the North Santa Barbara County Municipal Court

Since these new judgeships do not exceed the preliminary recommendation of 61 new judgeships,¹ and because the procedure for ranking would take place after the meeting, the advisory committee took no action regarding courts' requests for consideration of their position in the ranking schedule. Following the meeting, a new ranking by severity of need was generated to include the Butte Superior Court and Santa Maria Municipal Court (North Santa Barbara County Municipal Court).

Judicial Council approval of recommendation on appeal

On June 12, 1995, a conference call was held with Executive Committee of the Judicial Council and AOC staff to review the recommendations of the Judgeship Needs Advisory Committee. These recommendations were to:

- (1) approve the final judgeship needs recommendation for 61 new judgeships for submission to the Judicial Council by circulating order, and
- (2) approve the final ranking by severity of need for submission to the Judicial Council by circulating order.

The executive committee unanimously approved the recommendations of the advisory committee.

¹ The original recommendation of 61 judges inadvertently contained a judgeship each for two courts that did not request judges. Kings County Consolidated Courts' and Malibu Municipal Court's requests related to commissioner positions. This caused the recommendation made by the advisory committee to continue to be 61 new judgeships.

Following the decision of the executive committee, a circulating order was sent to all members of the Judicial Council requesting their approval of the recommendations of the Judgeship Needs Advisory Committee. The order was signed by a majority of council members and became effective June 13, 1995.

This Report to the Legislature on Statewide Judgeship Need is submitted to the Legislature as a proposed amendment to Senate Bill No. 874 and Assembly Bill No. 1818.

The table on pages 9-11 is a summary of judgeship needs as recommended by the advisory committee.

II. SUMMARY OF JUDGESHIP NEEDS

Court by County	Authorized Judicial Positions by Type June 30, 1994		Judicial Positions Requested by Type			Judicial Positions Recommended by Type	
	Judges	Commissioners & Referees	Judges	Commissioners	Referees	Judges	Commissioners
ALAMEDA							
Alameda Superior	34.0	5.0	9.0	0	0	2.0	0
Livermore-Pleasanton-Dublin Municipal	2.0	1.0	1.0	1.0	0	1.0 ²	0
AMADOR							
Amador Superior ³	1.0	0	0	.50	0	0	0
Amador Justice	1.0	0	0	.50	0	0	0
BUTTE							
Butte Superior	4.0	0	2.0	0	0	1.0	0
CONTRA COSTA							
Contra Costa Superior	17.0	3.0	2.0	0	0	2.0	0
DEL NORTE							
Del Norte Superior	1.0	0	1.0	0	0	0	0
EL DORADO							
El Dorado Superior	3.0	1.0	3.0	0 ⁴	0	0	0
El Dorado Municipal	3.0	0	1.0	1.0	0	0	0
FRESNO							
Fresno Superior	17.0	5.0	5.0	0	1.0	0	0
Consolidated Fresno Municipal	10.0	2.0	4.0	0	0	0	0
HUMBOLDT							
Humboldt Superior	3.0	0	1.0	0	0	0	0
IMPERIAL							
Imperial Superior	3.0	0	1.0	0	0	1.0	0
Imperial Municipal	4.0	0	1.0	0	0	1.0	0
KERN							
Kern Superior	15.0	2.0	1.0	0	0	0	0
East Kern Municipal	2.0	1.0	4.0	0	0	0	0
North Kern Municipal	2.0	0	1.0	1.0	0	1.0	0
South Kern Municipal	2.0	0	1.0	0	0	1.0	0
KINGS							
Kings Superior	3.0	1.0	0	1.0	0	0	0
LASSEN							
Lassen Superior ⁵	1.0	0	.50	0	0	0	0
Lassen Justice	1.0	0	.50	0	0	0	0
LOS ANGELES							
<i>Administratively Unified Courts:</i>							
Los Angeles Superior	238.0	60.0	30.0	0	0	10.0	0
Inglewood Municipal	6.0	2.0	2.0	0	0	0	0
Malibu Municipal ⁶	1.0	2.0	0	1.0	0	0	0
<i>Eastern Unified Courts:</i>							
Whittier Municipal	4.0	2.0	2.0	0	0	0	0
<i>Non-Unified Courts:</i>							
Beverly Hills Municipal	3.0	1.0	0	1.0	0	0	0
Citrus Municipal	7.0	2.0	2.0	0	0	1.0	0
Glendale Municipal	3.0	2.0	1.0	0	0	0	0

² Conversion of 1/3 commissioner to 1.0 full-time judgeship.

³ Amador Superior and Amador Justice Court submitted a combined judgeship needs report.

⁴ The El Dorado Superior Court is requesting conversion of 1.7 commissioner positions to 2.0 judgeships.

⁵ The Lassen Superior Court and Lassen Justice Court submitted a combined judgeship needs report.

⁶ The Malibu Municipal Court is requesting conversion of 1.0 commissioner to 1.0 judgeship.

Court by County	Authorized Judicial Positions by Type June 30, 1994		Judicial Positions Requested by Type			Judicial Positions Recommended by Type	
	Judges	Commissioners & Referees	Judges	Commissioners	Referees	Judges	Commissioners
MADERA Madera Superior	3.0	0	0	1.0	0	0	0
MERCED Merced Superior	3.0	1.0	1.0	1.0	0	0	0
MENDOCINO Mendocino Superior	3.0	0	1.0	0	0	0	0
ORANGE Orange Superior	59.0	16.0	16.0	0	0	7.0	0
PLACER Placer Superior Placer Municipal	4.0 3.0	1.0 1.0	1.0 1.0	0 0	0 0	1.0 0	0 0
PLUMAS Plumas Justice ⁷	1.0	0	0	0	0	0	0
RIVERSIDE Riverside Superior ⁸ Desert Municipal Three Lakes Municipal Western Riverside Municipal	24.0 7.0 2.0 9.0	7.0 1.0 0 5.0	10.0 3.0 2.0 5.0	0 0 0 0	0 0 0 0	5.0 0 0 0	0 0 0 0
SACRAMENTO Sacramento Superior ⁹ Sacramento Municipal	32.0 16.0	5.0 5.0	8.0 0	0 0	0 0	5.0 0	0 0
SAN BERNARDINO ¹⁰ San Bernardino Superior San Bernardino Municipal	28.0 26.0	6.0 4.0	20.0 5.0	0 0	0 0	7.0 0	0 0
SAN DIEGO San Diego Superior North Municipal	71.0 11.0	6.0 2.0	10.0 3.0	0 0	0 0	5.0 0	0 0
SAN FRANCISCO San Francisco Superior	29.0	11.0	2.0 ¹¹	0	0	1.0	0
SAN JOAQUIN San Joaquin Superior	13.0	0	2.0	1.0	0	1.0	0
SAN LUIS OBISPO San Luis Obispo Superior	5.0	1.0	.50	0	0	0	0
SAN MATEO San Mateo Superior San Mateo Municipal	17.0 9.0	2.0 5.0	1.0 2.0	0 0	0 0	1.0 0	0 0

⁷ The Plumas Justice Court is requesting an increase in home court workload for the current justice court judge. This issue has been addressed by the Assignments Unit, and is beyond the scope of the Judgeship Needs Advisory Committee.

⁸ The Consolidated Courts of Riverside submitted a combined judgeship needs report: Riverside Superior, Desert Municipal, and Western Riverside Municipal.

⁹ The Sacramento Superior and Municipal courts submitted a combined judgeship needs report.

¹⁰ The trial courts of San Bernardino submitted a combined judgeship needs report.

¹¹ The San Francisco Superior Court is requesting conversion of 1.0 commissioner to 1.0 judgeship.

Court by County	Authorized Judicial Positions by Type June 30, 1994		Judicial Positions Requested by Type			Judicial Positions Recommended by Type	
	Judges	Commissioners & Referees	Judges	Commissioners	Referees	Judges	Commissioners
SANTA BARBARA							
Santa Maria Municipal ¹²	2.0	1.0	1.0	0	1.0	1.0	0
Solvang Justice	1.0	0	.25	0	0	0	0
SANTA CRUZ							
Santa Cruz Superior	5.0	1.0	1.0	0	0	0	0
SHASTA							
Shasta Superior	4.0	0	2.0	0	0	1.0	0
SISKIYOU							
Siskiyou Superior	1.0	0	1.0	0	0	0	0
SOLANO							
Solano Superior	7.0	3.0	5.0	0	0	2.0	0
SONOMA							
Sonoma Superior	9.0	1.0	1.0	0	0	1.0	0
STANISLAUS							
Stanislaus Superior	8.0	3.0	3.0	1.0	0	1.0	0
VENTURA ¹³							
Ventura Superior	15.0	1.0	5.0	0	0	1.0	0
Ventura Municipal	12.0	1.0	2.0	0	0	0	0
			190.75	11.0	2.0	61.0	0

¹² The Lompoc Municipal, Santa Maria Municipal and Solvang Justice courts are now consolidated as the North Santa Barbara Municipal Court. However, the Santa Maria Municipal Court and the Solvang Justice Court submitted separate judgeship needs reports prior to the consolidation.

¹³ The Ventura courts submitted a combined judgeship needs report.

The advisory committee is recommending creation of 55 superior court judgeships and 6 municipal court judgeships. Also, of the 61 recommended judgeships, 3 represent conversion of existing commissioner positions to judgeships.¹⁴

These recommendations are not intended to reflect absolute total need for any court requesting judicial positions, rather the recommendations represent the advisory committee's evaluation of apparent and critical needs given the information available.

¹⁴ The following courts requested conversion of commissioner positions to judgeships: Livermore-Pleasanton-Dublin Municipal, El Dorado County Superior, Malibu Municipal, San Francisco Superior, and Santa Maria Municipal.

III. RANKING BY SEVERITY OF NEED

In order to allocate new judgeships to courts, some measure of the comparative severity of need among courts is necessary. The advisory committee explored several possible methods for measuring need, and reviewed several allocation methods:

- priority to the court with the greatest current need;
- priority to the court with the highest probability of fully utilizing an additional judge; or
- equalization of workload among the judges throughout the state.

After reviewing the alternatives, the advisory committee determined that giving a priority ranking to the court with the greatest current need was the most appropriate measure of severity of need among courts.

The greatest current need was determined by dividing the number of authorized judicial positions for each court by the recommended number of judicial positions to calculate the ratio, or ranking factor. The smaller the ratio, the greater a court's need relative to other courts. The ratio changes each time a judge is given to the court.

It should be noted that the method chosen tends to favor smaller courts because the shortage, or addition, of one judge creates a larger change in the need ratio when the number of judges in a court is small at the outset.

The table on the next page is the recommended allocation of judges by severity of need. The first column, rank, allocates the recommended judgeships to the court listed in column two based upon greatest current need. The third column, judicial positions, reflects a court's authorized judicial positions, and increases each time a judgeship is allocated. Column four, recommended judicial needs, represents the total judicial needs of the court as recommended by the advisory committee. The final column, ranking factor, represents the ratio of judicial positions to recommended judicial need after adding an additional judge to the court.

RANKING BY SEVERITY OF NEED

RANK	COURT NAME	JUDICIAL POSITIONS	RECOMMENDED JUDICIAL NEED	RANKING FACTOR
(a)	(b)	(c)	(d)	(c/d)
1	North Kern Municipal	2	3	0.667
1	South Kern Municipal	2	3	0.667
3	Livermore-Pleasanton-Dublin Municipal	3	4	0.750
3	Santa Maria Municipal	3	4	0.750
5	Butte Superior	4	5	0.800
5	Imperial Superior	4	5	0.800
7	Imperial Municipal	5	6	0.833
7	Placer Superior	5	6	0.833
7	Solano Superior	10	12	0.833
10	San Bernardino Consolidated	88	75	0.907
11	Citrus Municipal	10	11	0.909
11	Shasta Consolidated	10	11	0.909
13	Riverside Consolidated	64	69	0.915
14	Contra Costa Superior	22	24	0.917
14	Orange Superior	77	84	0.917
14	Solano Superior	11	12	0.917
17	San Bernardino Consolidated	69	75	0.920
18	Sacramento Consolidated	58	63	0.921
19	Stanislaus Superior	12	13	0.923
20	Orange Superior	78	84	0.929
20	San Joaquin Superior	13	14	0.929
22	Riverside Consolidated	55	59	0.932
23	San Bernardino Consolidated	70	75	0.933
24	Sacramento Consolidated	59	63	0.937
25	San Diego Superior	77	82	0.939
26	Orange Superior	79	84	0.940
27	San Bernardino Consolidated	71	75	0.947
28	Riverside Consolidated	56	59	0.949
29	San Mateo Superior	19	20	0.950
29	Sonoma Consolidated	19	20	0.950
31	Alameda Superior	39	41	0.951
31	San Diego Superior	78	82	0.951
33	Orange Superior	80	84	0.952
33	Sacramento Consolidated	60	63	0.952
35	Contra Costa Superior	23	24	0.958
36	San Bernardino Consolidated	72	75	0.960
37	San Diego Superior	79	82	0.963
38	Orange Superior	81	84	0.964
39	Riverside Consolidated	57	59	0.966
40	Ventura Consolidated	29	30	0.967
41	Los Angeles Superior	296	306	0.966
41	Sacramento Consolidated	61	63	0.966
43	Los Angeles Superior	299	306	0.971
44	San Bernardino Consolidated	73	75	0.973
45	Los Angeles Superior	300	306	0.974
46	Alameda Superior	40	41	0.976
46	San Diego Superior	80	82	0.976
46	San Francisco Superior	40	41	0.976
46	Orange Superior	82	84	0.976
50	Los Angeles Superior	301	306	0.977
51	Los Angeles Superior	302	306	0.981
52	Riverside Consolidated	58	59	0.983
53	Los Angeles Superior	303	306	0.984
53	Sacramento Consolidated	62	63	0.984
55	San Bernardino Consolidated	74	75	0.967
55	Los Angeles Superior	304	306	0.987
57	San Diego Superior	81	82	0.988
57	Orange Superior	83	84	0.988
58	Los Angeles Superior	305	306	0.990
60	Los Angeles Superior	306	306	0.994
61	Los Angeles Superior	307	306	0.997
	6/8/95			

IV. JUDGESHIP NEEDS REPORTS

ALAMEDA COUNTY

Alameda County Superior Court

Summary of Request

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commis- sioners	Referees
42.4	34.0	5.0	9.0	0	0

Alameda County Superior Court uses a combination of paid and pro bono pro tem judges to help handle the court's caseload. The shortage of judgeship positions, coupled with the current vacancy is being mitigated on a day to day basis through a complex system of pro bono, intercourt, and compensated pro tem judge support. Pro tem attorneys provide the equivalent of .50 judicial position support to help handle court caseload in the probate, civil, and family law areas.

Judicial Needs Evaluation

In evaluating Alameda County Superior Court's request for 9.0 new judgeships, the advisory committee considered the following:

- Workload indicators support the court's request for additional judgeships.
- Judicial position equivalents indicate the court is using 3.4 judicial positions above that authorized by statute.
- There was not enough information provided to consider the court's judicial coordination.
- The report did not provide sufficient information to clearly demonstrate a critical need beyond the advisory committee's recommendation.

Recommendation

Approve the creation of 2.0 new judgeships for the Alameda Superior Court.

Appeal

The court filed an appeal that the committee reevaluate its request for 9.0 judgeships. In evaluating the court's appeal, the committee considered the items listed above. The committee determined that the additional information provided by the court did not demonstrate a clear and critical need for judicial positions beyond the 2.0 already approved. The committee's recommendation is for no additional judgeships on appeal.

Livermore-Pleasanton-Dublin Municipal Court

Summary of Request

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commissioners	Referees
3.9	2.0	1.33	1.0	0	0

The Livermore-Pleasanton-Dublin Municipal Court is requesting 1.0 new judgeship and conversion of 1/3 commissioner to 1.0 full-time judgeship.

The court utilizes temporary judges for a variety of traffic, civil, and small claims calendars. In addition, pro tem judges are used to cover the commissioner's calendar when the commissioner is needed to hear civil trials of more than one half day.

For the immediate past year temporary judge use was 650 hours. For the preceding year, pro tem judge use totaled 760 hours. During this same period a part-time commissioner was used a total of 764 hours for the immediate past year, and 600 hours for the previous year. The combined use of the part-time commissioner and pro tems is significantly more than one full-time judicial position.

Judicial Needs Evaluation

In evaluating the Livermore-Pleasanton-Dublin Municipal Court's request for 1.0 new judgeship, the advisory committee considered the following:

- Workload indicators support the court's request for a new judgeship.
- The court has an active coordination program, particularly felony sentencing.
- The court's case management practices are innovative, and indicate the court is using best practices and "doing the right things right."

Recommendation

Approve the conversion of the court's commissioner to 1.0 full-time judgeship.

Appeal

The court did not appeal the committee's recommendation.

AMADOR COUNTY**Amador County County Superior and Justice Courts****Summary of Request**

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commissioners	Referees
2.6	2.0	0	0	1.0	0

The court is requesting an additional commissioner to be used jointly by both courts, or to be shared with a neighboring county (i.e., Calaveras). (It should be noted that the Calaveras court has not requested a commissioner.) The court has indicated that the county is unwilling to fund a new commissioner and is, therefore, requesting state funding for the position.

Judicial Needs Evaluation

In evaluating Amador County Superior and Justice Court's request for 1.0 new commissioner, (.50 of which might be shared with a neighboring county), the advisory committee considered the following:

- The advisory committee's policy is not to recommend partial subordinate judicial positions.

Recommendation

Do not approve the Amador County Superior and Justice Court's request for 1.0 new commissioner.

Appeal

The court did not appeal the committee's recommendation.

BUTTE COUNTY

Butte County Superior Court

Summary of Request

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commissioners	Referees
4.6	4.0	0	2.0	0	0

The court is requesting 2.0 new judgeships. The court's calendar is set at 8:00 a.m., and settlement conferences are scheduled at 5:00 p.m. Therefore, each day is in excess of eight hours. All judges handle all types of cases in accordance with yearly assignments and as necessary to cover vacation, sick leave, and challenges.

Judicial Needs Evaluation

In evaluating the Butte County Superior Court's request for 2.0 new judgeships, the advisory committee considered the following:

- Workload indicators do not appear to support the court's request for new judgeships.
- Judicial position equivalents indicate the court is using .60 judicial positions above that authorized by statute.
- The court is in the process of administratively coordinating. It is too soon to assess the affect of coordination on the court's judgeship needs.
- The report did not provide sufficient information to clearly demonstrate a critical need beyond the advisory committee's recommendation.
- The report did not adequately indicate the adverse consequences to the court of not adding a judgeship.

Recommendation

Do not approve the Butte County Superior Court's request for 2.0 new judgeships.

Appeal

The court appealed the committee's recommendation of no new judgeships. In evaluating the court's appeal, the committee considered the items listed above. The committee determined that the additional information provided by the court demonstrated a clear and critical need for an additional judgeship. The committee's recommendation is to approve 1.0 new judgeship for the court.

CONTRA COSTA COUNTY**Contra Costa County Superior Court****Summary of Request**

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commissioners	Referees
24.2	17.0	3.2	2.0	0	0

The court is requesting 2.0 new judgeships. For the past several years the court has operated the Trials On Time (TOT) Program. One to two civil cases of five days or less are scheduled for trial per month with a date certain before a stipulated pro tem judge. Last year 12 cases were resolved in this manner, utilizing approximately 50 days of pro bono judicial assistance. The court employs an attorney full-time who is designated as a Discovery Referee. This attorney presides over a daily calendar hearing discovery motions on all civil cases. This practice has been in effect for seven years.

Judicial Needs Evaluation

In evaluating the Contra Costa County Superior Court's request for 2.0 new judgeships, the advisory committee considered the following:

- Workload indicators support the court's request for new judgeships.
- Judicial position equivalents indicate the court is using 4.2 judicial positions above that authorized by statute.
- The court has a coordination program with three municipal courts whereby the municipal court judges sit as superior court trial judges and superior court judges handle the early disposition program in the municipal court.

Recommendation

Approve the creation of 2.0 new judgeships for the Contra Costa County Superior Court.

Appeal

The court filed an appeal that the committee reevaluate its request for 4.0 judgeships. In evaluating the court's appeal, the committee considered the items listed above. The committee determined that the additional information provided by the court did not demonstrate a clear and critical need for judicial positions beyond that already approved. The committee recommendation is for no additional judgeships beyond the 2.0 already approved.

DEL NORTE COUNTY

Del Norte County Superior Court

Summary of Request

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commissioners	Referees
1.1	1.0	0	1.0	0	0

Judicial Needs Evaluation

In reviewing the Del Norte County Superior Court's request for 1.0 new judgeship, the advisory committee considered the following:

- Workload indicators do not appear to support the court's request, particularly when compared to other courts of similar size.
- The superior court has cross-assignments with the justice court.
- The report did not provide sufficient information to clearly demonstrate a critical need for new judgeships.
- The report did not adequately indicate the adverse consequences to the court of not adding a judgeship.

Recommendation

Do not approve Del Norte County Superior Court's request for 1.0 new judgeship.

Appeal

The court did not appeal the committee's recommendation.

EL DORADO COUNTY

El Dorado County Municipal Court

Summary of Request

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commissioners	Referees
3.8	3.0	0	1.0	1.0	0

Judicial Needs Evaluation

In evaluating the El Dorado County Municipal Court's request for 1.0 judge and 1.0 commissioner, the advisory committee considered the following:

- There does not appear to be any coordination between the superior and municipal court.
- The report did not provide sufficient information to clearly demonstrate a critical need beyond the advisory committee's recommendation.
- The report did not adequately indicate the adverse consequences to the court of not adding a judgeship.

Recommendation

Do not approve the El Dorado County Municipal Court's request for 1.0 new judgeship and 1.0 new commissioner.

Appeal

The court did not appeal the committee's recommendation.

EL DORADO COUNTY

El Dorado County Superior Court

Summary of Request

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commis- sioners	Referees
5.1	3.0	1.0	3.0	0	0

The court is requesting conversion of 1.7 commissioners to 2.0 new judgeships. The court uses pro tems at the Placerville branch to hear all fast-track status conferences. In addition, pro tem judges conduct voluntary settlement conferences in those personal injury cases where parties have agreed to participate in the pilot alternative dispute resolution program.

The court has applied to the board of supervisors for an additional .30 commissioner for fiscal year 1994-95. This increase was approved by the Trial Court Budget Commission.

Judicial Needs Evaluation

In evaluating the El Dorado County Superior Court's request for conversion of 1.7 commissioners to 2.0 judgeships, the advisory committee considered the following:

- There does not appear to be any coordination between the superior and municipal court.
- The report did not provide sufficient information to clearly demonstrate a critical need beyond the advisory committee's recommendation.
- The report did not adequately indicate the adverse consequences to the court of not adding a judgeship.

Recommendation

Do not approve the El Dorado County Superior Court's request to convert 1.7 commissioners to 2.0 new judgeships.

Appeal

The court appealed the committee's recommendation for no new judgeships. In evaluating the court's appeal, the committee considered the items listed above. The committee determined that the additional information provided by the court did not demonstrate a clear and critical need for an additional judgeship. The committee's recommendation is for no new judgeships.

FRESNO COUNTY

Fresno County Superior Court

Summary of Request

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commissioners	Referees
22.1	17.0	5.0	5.0	0	1.0

Judicial Needs Evaluation

In evaluating the Fresno County Superior Court's request for 5.0 judgeship and 1.0 referee, the Judgeship Needs Advisory Committee considered the following:

- Workload indicators do not appear to support the court's request for new judicial positions.
- The court's judicial position equivalent is consistent with its authorized judicial positions.
- The report did not provide sufficient information to clearly demonstrate a critical need beyond the advisory committee's recommendation.
- The report did not adequately indicate the adverse consequences to the court of not adding a judgeship.

Recommendation

Do not approve the Fresno County Superior Court's request for 5.0 new judgeships and 1.0 new referee.

Appeal

The court appealed the committee's recommendation for no new judgeships and no new referee. In reviewing the court's appeal, the committee considered the items listed above. The committee determined that while the additional information provided by the court was significantly different, the court did not demonstrate a clear and critical need for additional judicial positions. The committee's recommendation is for no new judgeships.

Consolidated Fresno Municipal Court

Summary of Request

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commis- sioners	Referees
12.5	10.0	2.0	4.0	0	0

The court uses .14 pro tems approximately two mornings per week, 10 cases per session in small claims. Pro tems also cover some traffic assignments.

Judicial Needs Evaluation

In reviewing the Consolidated Fresno Municipal Court's request for 4.0 judgeships, the advisory committee considered the following:

- Workload indicators do not appear to support the court's request for new judgeships.
- There is no apparent coordination with the Fresno County Superior Court.
- The judicial position equivalent is consistent with the authorized judicial positions.
- The report did not provide sufficient information to clearly demonstrate a critical need beyond the advisory committee's recommendation.
- The report did not adequately indicate the adverse consequences to the court of not adding a judgeship.

Recommendation

Do not approve the Consolidated Fresno Municipal Court's request for 4.0 new judgeships.

Appeal

The court did not appeal the committee's recommendation. The committee considered the appeal of the Fresno County Superior Court which was filed jointly with this court and denied the appeal.

HUMBOLDT COUNTY

Humboldt County Superior Court

Summary of Request

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commissioners	Referees
3.4	3.0	0	1.0	0	0

The court does not use temporary or pro tem judges.

Judicial Needs Evaluation

In reviewing the Humboldt County Superior Court's request for 1.0 new judgeship, the advisory committee considered the following:

- Workload indicators do not appear to support the court's request for a new judgeship.
- There is no apparent coordination with another court.
- The court's judicial position equivalent is consistent with the authorized judicial positions.
- The report did not provide sufficient information to clearly demonstrate a critical need beyond the advisory committee's recommendation.
- The report did not adequately indicate the adverse consequences to the court of not adding a judgeship.

Recommendation

Do not approve the Humboldt County Superior Court's request for 1.0 new judgeship.

Appeal

The court appealed the committee's recommendation of no new judgeships. In evaluating the court's appeal, the committee considered the items listed above. The committee determined that the additional information provided by the court did not demonstrate a clear and critical need for a new judgeship. The committee's recommendation is for no new judgeships.

IMPERIAL COUNTY

Imperial County Superior and Municipal Courts

Summary of Request

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commissioners	Referees
8.7	7.0	0	2.0	0	0

The court has a limited pro tem judges program that accounts for 60 to 70 hours a year. Referees are used 3/4 of the time in small claims and traffic.

Judicial Needs Evaluation

In reviewing the Imperial County Superior and Municipal Court's request for 1.0 new judgeship each, the advisory committee considered the following:

- Workload indicators support the courts' request for new judgeships.
- The courts have limited coordination.
- The courts judicial position equivalents support the request for new judgeships.

Recommendation

Approve the creation of 1.0 new judgeship for the Imperial County Superior Court.

Approve the creation of 1.0 new judgeship for the Imperial County Municipal Court.

Appeal

Both courts filed appeals to solidify their positions in the ranking. However, since the total number of judgeships approved due to the appeals did not exceed the preliminary recommendation of 61 new judgeships, and because the procedure for ranking would take place after the meeting, the advisory committee took no action on courts' requests for consideration of their position in the ranking schedule.

KERN COUNTY

Kem County Superior Court

Summary of Request

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commissioners	Referees
17.6	15.0	2.0	1.0	0	0

The court uses a pro tem in family law who does 1,500 cases per year. There is also minimal use of pro tems in the juvenile department.

Judicial Needs Evaluation

In evaluating Kern County Superior Court's request for 1.0 new judgeship, the advisory committee considered the following:

- Workload indicators support the court's request for a new judgeship.
- Judicial coordination with the municipal courts appears to be nonexistent. The court's judicial need, specifically in criminal, might be reduced if there was judicial coordination.
- The report did not provide sufficient information to clearly demonstrate a critical need beyond the advisory committee's recommendation.
- The report did not adequately indicate the adverse consequences to the court of not adding a judgeship.

Recommendation

Do not approve the Kern County Superior Court's request for 1.0 new judgeship.

Appeal

The court filed an appeal to the committee's recommendation for no new judgeships. In evaluating the court's appeal, the committee considered the items listed above. The committee determined that the additional information provided by the court did not demonstrate a clear and critical need for an additional judgeship. The committee's recommendation is for no new judgeships.

East Kern Municipal Court

Summary of Request

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commissioners	Referees
3.0	2.0	1.0	4.0	0	0

Evaluation of Judgeship Needs Request

In evaluating the East Kern Municipal Court's request for 1.0 municipal court judge and 3.0 superior court judges, the advisory committee considered the following:

- Workload indicators do not appear to support the court's request for new judgeships.
- The municipal court is requesting 3.0 superior court judgeships to handle family law matters at a branch court. The superior court did not mention this in its report. The advisory committee cannot recommend approval of the request as this appears to be a judicial coordination issue to be resolved by the East Kern Municipal Court and the Kern County Superior Court.
- The court's judicial positions equivalent is consistent with its authorized judicial positions.
- The report did not adequately indicate the adverse consequences to the court of not adding a judgeship.

Recommendation

Do not approve the East Kern Municipal Court's request for 1.0 new municipal court judge and 3.0 new superior court judges.

Appeal

The court did not appeal the committee's recommendation.

North Kem Municipal Court

Summary of Request

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commissioners	Referees
2.7	2.0	0	1.0	1.0	0

Judicial Needs Evaluation

In evaluating the North Kem Municipal Court's request for 1.0 new judgeship and 1.0 new commissioner, the advisory committee considered the following:

- Workload indicators support the court's request for a new judgeship.
- Judicial position equivalents indicate that the court is using .70 judicial position above that authorized by statute.

Recommendation

Approve the creation of 1.0 new judgeship for the North Kem Municipal Court.
Do not approve the court's request for 1.0 new commissioner.

Appeal

The court did not appeal the committee's recommendation.

South Kern Municipal Court

Summary of Request

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commissioners	Referees
2.5	2.0	0	1.0	0	0

Judicial Needs Evaluation

In evaluating the South Kern Municipal Court's request for 1.0 new judgeship, the advisory committee considered the following:

- Workload indicators support the court's request for a new judgeship.
- Judicial position equivalents indicate that the court is using .50 judicial positions above that authorized by statute.
- The court does not appear to be judicially coordinated. However, based upon workload statistics and information provided in the qualitative report, the request for 1.0 new judgeship is justified.

Recommendation

Approve the creation of 1.0 new judgeship for the South Kern Municipal Court.

Appeal

The court did not appeal the committee's recommendation.

KINGS COUNTY

Kings County Consolidated Courts

Summary of Request

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commissioners	Referees
7.0	6.0	1.0	0	1	0

Judicial Needs Evaluation

In evaluating the Kings County Consolidated Court's request for reclassification of 1.0 Family Commissioner to 1.0 County Commissioner, the advisory committee considered the following:

- This is beyond the scope of the advisory committee's authority. However, based upon the court's workload indicators, judicial position equivalent, and use of coordination, the committee believes the request to be justified.

Recommendation

The Judgeship Needs Advisory Committee supports the Kings County Consolidated Court's request for reclassification of 1.0 Family Commissioner to 1.0 County Commissioner.

Appeal

The court did not appeal the committee's recommendation.

LASSEN COUNTY**Lassen County Courts****Summary of Request**

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commis- sioners	Referees
2.0	2.0	0	1.0	0	0

The court does not have a pro tem judge program, nor do they use referees.

Judicial Needs Evaluation

In evaluating the Lassen County Court's request for 1.0 new judgeship, the advisory committee considered the following:

- Workload indicators do not appear to support the court's request for a new judgeship.
- The Lassen superior and municipal courts are judicially coordinated.
- Judicial position equivalents are consistent with the court's authorized judicial positions.
- The court's request is based, in part, upon anticipated increase in workload when a new prison opens in the county in Spring 1995. This is a projected rather than current need.
- The report did not adequately indicate the adverse consequences to the court of not adding a judgeship.

Recommendation

Do not approve the Lassen County Court's request for 1.0 new judgeship.

Appeal

The courts did not appeal the committee's recommendation.

LOS ANGELES COUNTY*Administratively Unified Courts of Los Angeles County:*

Los Angeles County Superior Court

Summary of Request

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commissioners	Referees
328.1	238.0	60.0	30.0	0	0

Judicial Needs Evaluation

In evaluating the Los Angeles County Superior Court's request for 30.0 new judgeships the advisory committee considered the following:

- The court indicates its request is based, in part, upon the estimated impact of "three strikes", which is a projected rather than a current need.
- Workload indicators support the court's request for new judgeships, particularly as criminal filings are impacting civil caseload.
- The court's level of judicial coordination is unclear, but it appears that judicial coordination with the municipal courts could reduce the court's judgeship need.
- Judicial position equivalents indicate that the court is using 30.1 judicial positions above that authorized by statute. However, this does not include the court's 14.0 part-time referees.
- The report did not provide sufficient information to clearly demonstrate a critical need beyond the advisory committee's recommendation.

Recommendation

Approve the creation of 10.0 new judgeships for the Los Angeles County Superior Court.

Appeal

The court appealed that the committee reevaluate its request for 30.0 new judgeships. In evaluating the court's appeal, the committee considered the items listed above. The committee determined that the additional information provided by the court did not demonstrate a clear and critical need for new judgeships beyond those already approved. The committee's recommendation is not to approve any new judgeships beyond the 10.0 already approved.

Inglewood Municipal Court

Summary of Request

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commis- sioners	Referees
8.4	6.0	2.0	2.0	0	0

The court uses pro tem judges to handle small claims trials.

Judicial Needs Evaluation

In evaluating the Inglewood Municipal Court's request for 2.0 new judgeships, the advisory committee considered the following:

- Workload indicators do not appear to support the court's request for new judgeships.
- Judicial position equivalents are consistent with authorized judicial positions.
- The report did not adequately indicate the adverse consequences to the court of not adding a judgeship.

Recommendation

Do not approve the Inglewood Municipal Court's request for 2.0 new judgeships.

Appeal

The court did not appeal the committee's recommendation.

Malibu Municipal Court

Summary of Request

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commis- sioners	Referees
3.1	1.0	2.0	1.0	0	0

Judicial Needs Evaluation

In evaluating the Malibu Municipal Court's request for conversion of 1.0 commissioner to 1.0 full-time judgeship, the advisory committee considered the following:

- Judicial position equivalents are consistent with authorized judicial positions.
- Extent of judicial coordination is unclear. More information is needed regarding coordination to evaluate the court's request.

Recommendation

The Judgeship Needs Advisory Committee has no recommendation regarding Malibu Municipal Court's request for conversion of 1.0 commissioner to a full-time judge at this time, pending additional information from the court regarding the extent of its judicial coordination.

Appeal

The court appealed the committee's recommendation not to approve conversion of a temporary position to an authorized commissioner. The committee reaffirmed its original decision not to recommend conversion.

Non-Unified Courts:

Beverly Hills Municipal Court

Summary of Request

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commis- sioners	Referees
5.2	3.0	1.0	0	1.0	0

Judicial Needs Evaluation

In evaluating the Beverly Hills Municipal Court's request for 1.0 new commissioner, the advisory committee considered the following:

- Workload indicators do not appear to support the court's request for a new judicial position.
- Judicial position equivalents have declined from 5.8 in 1990 to 5.2 in 1994.
- The court is judicially coordinated by way of cross-assignment with superior court.
- The report did not provide sufficient information to clearly demonstrate a critical need beyond the advisory committee's recommendation.
- The report did not adequately indicate the adverse consequences to the court of not adding a judgeship.

Recommendation

Do not approve the Beverly Hills Municipal Court's request for 1.0 new commissioner.

Appeal

The court did not appeal the committee's recommendation.

Citrus Municipal Court

Summary of Request

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commis- sioners	Referees
11.2	7.0	2.0	2.0	0	0

Judicial Needs Evaluation

In evaluating the Citrus Municipal Court's request for 2.0 new judgeships, the advisory committee considered the following:

- Workload indicators support the courts request for new judgeships.
- Judicial position equivalents indicate the court is using 2.2 judicial positions above that authorized by statute.

Recommendation

Approve the creation of 1.0 new judgeship for the Citrus Municipal Court.

Appeal

The court filed an appeal to the committee requesting a reevaluation of the court's request for 2.0 new judgeships. In evaluating the court's appeal, the committee considered the items listed above. The committee determined that the additional information provided by the court did not demonstrate a clear and critical need for an additional judgeship beyond that already approved. The committee's recommendation is for no additional judgeships beyond the 1.0 already approved.

Glendale Municipal Court

Summary of Request

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commis- sioners	Referees
5.4	3.0	2.0	1.0	0	0

The court uses pro tems extensively for entire small claims calendars and in traffic to cover commissioner's vacations.

Judicial Needs Evaluation

In evaluating the Glendale Municipal Court's request for 1.0 new judgeship, the advisory committee considered the following:

- Judicial position equivalents are consistent with authorized judicial positions.
- Workload indicators do not appear to support the need for a new judgeship.
- The report did not adequately indicate the adverse consequences to the court of not adding a judgeship.

Recommendation

Do not approve the Glendale Municipal Court's request for 1.0 new judgeship.

Appeal

The court did not appeal the committee's recommendation.

Eastern Unified Courts:

Whittier Municipal Court

Summary of Request

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commis- sioners	Referees
6.0	4.0	2.0	2.0	0	0

The court does not have a pro tem program.

Judicial Needs Evaluation

In evaluating Whittier Municipal Court's request for conversion of 2.0 commissioners to full-time judgeships, the advisory committee considered the following:

- Workload indicators do not appear to support the court's request for new judgeships.
- Judicial position equivalent is consistent with authorized judicial positions.
- The report did not provide sufficient information to clearly demonstrate a critical need for new judgeships.
- The report did not adequately indicate the adverse consequences to the court of not adding new judgeships.

Recommendation

Do not approve the Whittier Municipal Court's request for conversion of 2.0 commissioners to 2.0 new judgeships.

Appeal

The court did not appeal the committee's recommendation.

MADERA COUNTY

Madera County Superior Court

Summary of Request

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commissioners	Referees
3.0	3.0	0	0	1.0	0

Judicial Needs Evaluation

In evaluating the Madera County Superior Court's request for 1.0 new commissioner, the advisory committee considered the following:

- Judicial position equivalents are consistent with authorized judicial positions.
- Lack of information regarding judicial coordination.
- The report did not provide sufficient information to clearly demonstrate a critical need for new judgeships.
- The report did not adequately indicate the adverse consequences to the court of not adding a judgeship.

Recommendation

Do not approve the Madera County Superior Court's request for 1.0 new commissioner.

Appeal

The court did not appeal the committee's recommendation.

MENDOCINO COUNTY

Mendocino County Unified Courts

Summary of Request

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commis- sioners	Referees
9.7	10.0	0	1.0	0	0

The court uses pro tem judges on civil settlement conferences. They make occasional use of masters, and assigned judges are used about .50 annually.

Judicial Needs Evaluation

In evaluating the Mendocino County Unified Court's request for 1.0 new superior court judgeship, the advisory committee considered the following:

- Proposition 191 resulted in the court's six justice courts becoming municipal courts. It is unclear how this impacts the superior court's judgeship needs.

Recommendation

Do not approve the Mendocino County Unified Court's request for 1.0 new superior court judgeship.

Appeal

The courts did not appeal the committee's recommendation.

MERCED COUNTY

Merced County Superior Court

Summary of Request

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commissioners	Referees
4.2	3.0	1.0	1.0	1.0	0

Judicial Needs Evaluation

In evaluating the Merced County Superior Court's request for 1.0 new judgeship and 1.0 new commissioner, the advisory committee considered the following:

- The court has no judicial coordination program.
- Judicial position equivalent is consistent with authorized judicial positions.
- The report did not provide sufficient information to clearly demonstrate a critical need beyond the advisory committee's recommendation.
- The report did not adequately indicate the adverse consequences to the court of not adding a judgeship.

Recommendation

Do not approve the Merced County Superior Court's request for 1.0 new judgeship and 1.0 new commissioner.

Appeal

The court appealed the committee's recommendation for no new judgeships and no new commissioner. In evaluating the court's appeal, the committee considered the items listed above. The committee determined that the additional information provided by the court did not demonstrate a clear and critical need for new judicial positions. The committee's recommendation is for no new judicial positions.

ORANGE COUNTY

Orange County Superior Court

Summary of Request

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commis- sioners	Referees
85.4	59.0	16.0	16.0	0	0

The court uses 4 pro tems, and 7.5 retired judges. Since 1992 retired judge use has been approximately 7.5 full-time equivalents per month.

Judicial Needs Evaluation

In evaluating the Orange County Superior Court's request for 16.0 new judgeships, the advisory committee considered the following:

- Workload indicators support the court's request for new judgeships.
- Judicial position equivalents indicate the court is using 10.4 judicial positions above that authorized by statute.
- The court has a fully consolidated criminal calendar.

Recommendation

Approve the creation of 7.0 new judgeships for the Orange County Superior Court.

Appeal

The court did not appeal the committee's recommendation.

PLACER COUNTY**Placer County Superior Court****Summary of the Request**

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commissioners	Referees
5.7	4.0	1.0	1.0	0	0

The court has a pro tem judges program which is used for settlement conferences, small claims, long cause trials, first case management conferences, and juvenile and probate calendars on occasion. The court's report does not indicate the number of days of assistance provided by the pro tems. The pro tem judges hear 72 percent of the mandatory settlement conferences. The court received a commissioner in April 1992 and another one in January 1994.

Judicial Needs Evaluation

In evaluating Placer County Superior Court's request for a new judgeship, the advisory committee considered the following:

- Workload indicators support the court's request for a new judgeship.
- Judicial position equivalents indicate that the court is using .70 judicial positions above that authorized by statute.
- The court is currently in the process of consolidating administratively with the municipal court. A single presiding judge assigns civil and criminal trials out to municipal and superior court judges.

Recommendation

Approve the creation of 1.0 new judgeship for the Placer County Superior Court.

Appeal

The court did not appeal the committee's recommendation.

PLACER COUNTY

Placer County Municipal Court

Summary of Request

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commissioners	Referees
4.4	3.0	1.0	1.0	0	0

The court receives assistance from pro tems. Their pro tems provide an equivalent of 75 days, which is about 30 percent of the workload time.

Judicial Needs Evaluation

In evaluating the Placer County Municipal Court's request for a new judgeship, the advisory committee considered the following:

- Workload indicators do not support the court's request, as two of the court's branches are expected to be closed and these judges will be re-assigned to the central location in Auburn.
- The court is consolidating administratively with the superior court. One presiding judge assigns civil and criminal cases for trial to municipal and superior court judges.
- The court's judicial position equivalent is consistent with authorized judicial positions.
- The report did not provide sufficient information to clearly demonstrate a critical need beyond the advisory committee's recommendation.

Recommendation

Do not approve the Placer County Municipal Court's request for 1.0 new judgeship.

Appeal

The court did not appeal the committee's recommendation.

PLUMAS COUNTY

Plumas Justice Court

Summary of Request

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commis- sioners	Referees
.90	1.0	0	0	0	0

The court is requesting that their judge, who is a part of the certified justice court judge program, be made a full-time judge.

Judicial Needs Evaluation

- The Administrative Office of the Courts, Assignments Unit, has responded to the court's request for an increase in home court workload.

Recommendation

None.

Appeal

The court did not appeal the committee's recommendation.

RIVERSIDE COUNTY

Consolidated Courts of Riverside County

Summary of Request

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commissioners	Referees
52.9	40.0	13.0	18.0	0	0

The court makes extensive use of pro tems in family law, civil, and juvenile areas.

Judicial Needs Evaluation

In evaluating the Consolidated Courts of Riverside County's request for 10.0 superior court judges and 8.0 municipal court judges, the advisory committee considered the following:

- Workload indicators support the court's request for additional superior court judges, but do not support the request for new municipal court judges.
- The superior and municipal courts are judicially coordinated.
- The court has been very innovative with their case management procedures and technology. There does not appear to be anything the committee could recommend to the court to help it meet the case processing time standards in civil other than to approve new judgeships.

Recommendation

Approve the creation of 5.0 new superior court judgeships for the Consolidated Courts of Riverside County.

Do not approve the court's request for 8.0 new municipal court judgeships.

Appeal

The court filed an appeal to solidify its position in the ranking. However, since the total number of judgeships approved due to the appeals does not exceed the preliminary recommendation of 61 new judgeships, and because the procedure for ranking would take place after the meeting, the advisory committee took no action regarding courts' requests for consideration of their position in the ranking schedule.

Three Lakes Municipal Court

Summary of Request

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commissioners	Referees
3.4	2.0	0	2.0	0	0

Judicial Needs Evaluation

In evaluation Three Lakes Municipal Court's request for 2.0 new judgeships, the advisory committee considered the following:

- Workload indicators do not support the court's request for new judgeships.
- Judicial position equivalents indicate the court is using 1.4 judicial positions above that authorized by statute.
- The court does not appear to be judicially coordinated with any other court in the county. Its need for judges might be reduced if it were to coordinate with other Riverside County courts.
- The report did not provide sufficient information to clearly demonstrate a critical need beyond the advisory committee's recommendation.
- The report did not adequately indicate the adverse consequences to the court of not adding a judgeship.

Recommendation

The Judgeship Needs Advisory Committee does not recommend approval of the Three Lakes Municipal Court's request for 2.0 new judgeships.

Appeal

The court appealed the committee's recommendation for no new judgeships. In evaluating the court's appeal, the committee considered the items listed above. The committee determined that the additional information provided by the court did not demonstrate a clear and critical need for additional judgeships. The committee's recommendation is for no new judgeships.

SACRAMENTO COUNTY**Sacramento County Superior And Municipal Courts****Summary of Request**

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commis- sioners	Referees
69.2	48.0	10.0	8.0	0	0

The courts use 14.2 equivalent pro tems. Their assigned judge program is fairly heavy. They have a mandatory arbitration program using assistance from a substantial list of attorneys that they indicate is the equivalent of about 9.0 judicial officers.

Judicial Needs Evaluation

In evaluating Sacramento County Superior and Municipal Court's request for 8.0 judges, the advisory committee considered the following:

- Workload indicators support a request for additional superior court judgeships, but do not support additional municipal court judges.
- Judicial position equivalent indicate the court is using 8.4 judicial positions above that authorized by statute.
- The superior and municipal court are judicially coordinated.

Recommendation

Approve the creation of 5.0 new superior court judgeships for the Sacramento County Superior and Municipal Courts.

Appeal

The courts appealed the recommendation of the committee requesting a reevaluation of its request for 8.0 new judgeships. In evaluating the courts' appeal, the committee considered the items listed above. The committee determined that the additional information provided by the courts did not demonstrate a clear and critical need for additional judgeships beyond that number already approved. The committee's recommendation is for no additional judgeships beyond the 5.0 already approved.

SAN BERNARDINO COUNTY
San Bernardino County Courts

Summary of Request

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commissioners	Referees
72.8	58.0	10.0	25.0	0	0

Judicial Needs Evaluation

In evaluating the San Bernardino County Court's request for 20.0 superior court judges and 5.0 municipal court judges, the advisory committee considered the following:

- Workload indicators have gone up substantially to support the request for additional superior court judges.
- Workload indicators do not support the request for new municipal court judgeships.
- The superior, municipal, and justice courts in San Bernardino County are highly coordinated.

Recommendation

Approve the creation of 7.0 new superior court judicial positions for the San Bernardino County Courts.

Appeal

The court did not appeal the committee's recommendation.

SAN DIEGO COUNTY

San Diego County Superior Court

Summary of Request

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commis- sioners	Referees
84.5	71.0	6.0	10.0	0	0

The San Diego County Superior Court's pro tem judge use is equivalent to 9.0 judicial positions.

Judicial Needs Evaluation

In evaluating San Diego County Superior Court's request for 10.0 new judgeships, the advisory committee considered the following:

- Workload indicators appear to support the court's request for additional judgeships.
- Judicial position equivalent indicate the court is using 7.5 judicial positions above that authorized by statute.
- The court coordinates significantly with the San Diego Municipal Court, El Cajon Municipal Court, and the South Bay Municipal Court.

Recommendation

Approve the creation of 5.0 new judgeships for the San Diego County Superior Court.

Appeal

The court appealed the recommendation of the committee requesting a reevaluation of its request for 10.0 new judgeships. In evaluating the court's appeal, the committee considered the items listed above. The committee determined that the additional information provided by the court did not demonstrate a clear and critical need for additional judgeships beyond those already approved. The committee's recommendation is for no additional judgeships beyond the 5.0 already approved.

North County Municipal Court

Summary of Request

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commissioners	Referees
14.3	11.0	2.0	3.0	0	0

The North County Municipal Court utilizes a limited judge pro tem program, which equals one half time full-time equivalent.

Judicial Needs Evaluation

In evaluating North County Municipal Court's request for 3.0 new judgeships, the advisory committee considered the following:

- Workload indicators do not appear to support the court's request for new judgeships.
- Judicial position equivalent indicate the court is using 1.3 judicial positions above that authorized by statute.
- The court does not appear to be significantly coordinated with any of the other courts in the county. Judicial need might be reduced if there were coordination with other courts.
- The report did not provide sufficient information to clearly demonstrate a critical need beyond the advisory committee's recommendation.
- The report did not adequately indicate the adverse consequences to the court of not adding a judgeship.

Recommendation

Do not approve the North County Municipal Court's request for 3.0 new judgeships.

Appeal

The court did not appeal the committee's recommendation.

SAN FRANCISCO COUNTY

San Francisco County Superior and Municipal Court

Summary of Request

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commis- sioners	Referees
41.2	29.0	11.0	2.0	0	0

The court has established a temporary judge program whereby attorneys in a case stipulate that a particular lawyer they agree to will try their case on a date certain. The court has established a list of lawyers willing to serve in this capacity. The court provides a courtroom, jury panel, if appropriate, courtroom clerk, and court reporter.

Judicial Needs Evaluation

In evaluating San Francisco County Superior Court's request for 1.0 new judgeship and the conversion of a family law commissioner to a judgeship, and the San Francisco County Municipal Court's request for 1.0 new judgeship, the advisory committee considered the following:

- Workload indicators do not appear to support the court's request for a new judgeship.
- Judicial position equivalents indicate the court is using 1.2 judicial positions above that authorized by statute.
- There is no significant coordination occurring between the superior and the municipal court. Judicial need might be reduced by coordination.
- The report did not provide sufficient information to clearly demonstrate a critical need beyond the advisory committee's recommendation.
- Apparently, the municipal court has withdrawn its request, so no further action was taken regarding its report.

Recommendation

Do not approve the San Francisco County Superior Court's request for 1.0 new judgeship. Approve the conversion of 1.0 commissioner to 1.0 new judgeship.

Appeal

The court filed an appeal to solidify its position in the ranking. However, since the total number of judgeships approved due to the appeals did not exceed the preliminary recommendation of 61 new judgeships, and because the procedure for ranking would take place after the meeting, the advisory committee took no action on courts' requests for consideration of their position in the ranking schedule.

SAN JOAQUIN COUNTY**San Joaquin County Superior Court****Summary of Request**

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commissioners	Referees
13.2	13.0	0	2.0	1.0	0

The court indicates that a new and large pro tem program will be or has started. They do use masters and referees, although they do not keep track of how many references are made out.

Judicial Needs Evaluation

In evaluating the San Joaquin Superior Court's request for 2.0 new judgeship and 1.0 new commissioner, the advisory committee considered the following:

- Workload indicators support the court's request for a new judgeship.
- Judicial position equivalents are consistent with authorized judicial positions.
- It appears as though there is some coordination between the superior and municipal court in San Joaquin County, but it is not detailed in the report.
- The court's qualitative report shows a clear need for the total judgeships requested.

Recommendation

Approve the creation of 1.0 new judgeship for the San Joaquin County Superior Court.

Appeal

The court appealed the recommendation of the committee requesting a reevaluation of its request for 2.0 new judgeships. In evaluating the court's appeal, the committee considered the items listed above. The committee determined that the additional information provided by the court did not demonstrate a clear and critical need for additional judgeships beyond that already approved. The committee's recommendation is for no additional judgeships beyond the 1.0 already approved.

SAN LUIS OBISPO COUNTY

San Luis Obispo County Superior Court

Summary of Request

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commissioners	Referees
7.4	5.0	1.0	.50	0	0

The court utilizes pro tems for law and motion, civil settlement conferences, and penal code 2962 cases.

Judicial Needs Evaluation

In evaluating San Luis Obispo County Superior Court's request for .50 judge or commissioner, the advisory committee considered the following:

- The advisory committee's policy is not to recommend a partial judicial position.

Recommendation

Do not approve the of San Luis Obispo County Superior Court's request for .50 new commissioner.

Appeal

The court did not appeal the committee's recommendation.

SAN MATEO COUNTY

San Mateo County Superior Court

Summary of Request

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commissioners	Referees
21.3	17.0	2.0	1.0	0	0

The court indicates that it has used almost 400 pro tems in all areas.

Judicial Needs Evaluation

In evaluating San Mateo County Superior Court's request for an additional new judgeship, the advisory committee considered the following:

- Workload indicators support the court's request for an additional judgeship.
- Judicial position equivalents indicate the court is using 2.3 judicial positions above that authorized by statute.
- There appears to be very limited coordination between the superior and municipal court.
- The court's qualitative report shows a clear need for an additional judgeship.

Recommendation

Approve the creation of 1.0 new judgeship for the San Mateo County Superior Court.

Appeal

The court filed an appeal to solidify its position in the ranking. However, since the total number of judgeships approved due to the appeals did not exceed the preliminary recommendation of 61 new judgeships, and because the procedure for ranking would take place after the meeting, the advisory committee took no action on courts' requests for consideration of their position in the ranking schedule.

San Mateo County Municipal Court

Summary of Request

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commissioners	Referees
15.9	9.0	5.0	2.0	0	0

The court uses pro tem judges to hear half day calendars. They are also using approximately 1.0 full-time equivalent assigned from the Judicial Council.

Judicial Needs Evaluation

In evaluating San Mateo County Municipal Court's request for 2.0 new judgeships, the advisory committee considered the following:

- While workload indicators do show an increase in filings, these have occurred primarily in the area of nontraffic infractions.
- Judicial position equivalents indicate the court is using 1.9 judicial positions above that authorized by statute.
- There appears to be very limited coordination between the municipal and superior courts in San Mateo County.
- The report did not provide sufficient information to clarify demonstrate a critical need for additional judicial positions.
- The report did not adequately indicate the adverse consequences to the court of not adding a judgeship.

Recommendation

Do not approve the San Mateo County Municipal Court's request for 2.0 new judgeships.

Appeal

The court appealed the committee's recommendation of no new judgeships. In evaluating the court's appeal, the committee considered the items listed above. The committee determined that the additional information provided by the court did not demonstrate a clear and critical need for new judgeships. The committee's recommendation is for no new judgeships.

SANTA BARBARA COUNTY**Santa Maria Municipal Court****Summary of Request**

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commis- sioners	Referees
3.4	2.0	1.0	1.0	0	1.0

Judicial Needs Evaluation

In evaluating the Santa Maria Municipal Court's request for conversion of a 1.0 commissioner to a 1.0 new judgeship and the addition of a 1.0 new traffic referee, the advisory committee considered the following:

- The Santa Maria Municipal Court recently consolidated with the Lompoc Municipal and Solvang Justice Courts and is now the North Santa Barbara County Municipal Court.
- Workload indicators do not support the court's request for creation of a new judicial position (the traffic referee). While the court's workload would support conversion of the existing commissioner to a judge, it appears, due to the consolidation of the justice court with the municipal court and based on Proposition 191, the net effect of the conversion would be to reduce the amount of judge time available to the court by .50 because the former justice court judge would have to be out of the court for the certified justice court judge program.
- Judicial position equivalents indicate the court is using .50 judicial positions above that authorized by statute.
- The report did not provide sufficient information to clearly demonstrate a critical need beyond the advisory committee's recommendation.
- The report did not adequately indicate the adverse consequences to the court of not adding a judgeship.

Recommendation

Do not approve the Santa Maria Municipal Court's request for conversion of 1.0 commissioner to 1.0 full-time judgeship.

Do not approve the request for 1.0 new traffic referee.

Santa Maria Municipal Court (cont)**Appeal**

The court appealed the committee's recommendation not to approve the conversion of a 1.0 commissioner to a 1.0 full-time judgeship. The committee was informed that even if the commissioner position is not converted to a judgeship the former justice court judge will have to resume assignments on a half-time basis. In evaluating the court's appeal, it was determined that since the court's workload justifies the 1.0 commissioner and the committee's policy has been to approve conversion if the workload justifies it, the committee will approve the conversion. The committee's recommendation is to approve conversion of the commissioner to a judgeship.

Solvang Justice Court

Summary of Request

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commissioners	Referees
1.0	1.0	0	.25	0	0

Judicial Needs Evaluation

In evaluating the Solvang Justice Court's request to increase the judge from .50 to .75 for purposes of the certified justice court judge program, the advisory committee considered the following:

- The Solvang Justice Court recently consolidated with the Lompoc Municipal and Santa Maria Municipal Courts and is now the North Santa Barbara County Municipal Court.
- Due to the consolidation of the court the issue of raising the judge to a .75 is moot.

Recommendation

As this court no longer exists as a justice court, and is consolidated with the new North Santa Barbara County Municipal Court, the request is no longer valid, and therefore does not require a recommendation by the advisory committee. (See the discussion under Santa Maria Municipal Court.)

SANTA CRUZ COUNTY

Santa Cruz County Superior and Municipal Courts

Summary of Request

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commissioners	Referees
13.1	10.0	3.0	1.0	0	0

The court has an active pro tem program. Two hundred ninety-five cases were heard last year.

Judicial Needs Evaluation

In evaluating Santa Cruz County Superior and Municipal Court's request for 1.0 new superior court judgeship, the advisory committee considered the following:

- Workload indicators do not support the court's request for a new superior court judge.
- Judicial position equivalents indicate the court is using .70 judicial positions above that authorized by statute.
- The court's coordination appears to be in question. Decisions previously made with regard to coordination do not appear to have occurred.
- The report did not provide sufficient information to clearly demonstrate a critical need beyond the advisory committee's recommendation.
- The report did not adequately indicate the adverse consequences to the court of not adding a judgeship.

Recommendation

Do not approve the Santa Cruz County Superior and Municipal Court's request for 1.0 new superior court judgeship.

Appeal

The court did not appeal the committee's recommendation.

SHASTA COUNTY**Shasta County Courts****Summary of Request**

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commissioners	Referees
10.3	8.0	1.0	2.0	0	0

The municipal court uses pro tem judges to hear small claims and traffic infraction court trials 2-1/2 days per week. If a judge is absent from the court, the commissioner handles the judge's assignment and a pro tem handles the traffic and small claims calendar.

Judicial Needs Evaluation

In evaluating Shasta County Court's request for 2.0 superior court judgeships, the advisory committee considered the following:

- Workload indicators appear to support the court's request for additional judicial positions.
- Judicial position equivalents indicate the superior court is using 1.0 judicial position above that authorized by statute.
- The courts are in the process of consolidating, and as of January 1, 1995, will have completed judicial consolidation by implementing a hybrid vertical felony calendar and a unified jury trial calendar.

Recommendation

Approve the creation of 1.0 new superior court judgeship for the Shasta County Courts.

Appeal

The court filed an appeal to solidify its position in the ranking. However, since the total number of judgeships approved due to the appeals did not exceed the preliminary recommendation of 61 new judgeships, and because the procedure for ranking would take place after the meeting, the advisory committee took no action on courts' requests for consideration of their position in the ranking schedule.

SISKIYOU COUNTY**Siskiyou County Superior Court****Summary of Request**

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commissioners	Referees
1.7	1.0	0	1.0	0	0

The court does not have a pro tem judges program.

Judicial Needs Evaluation

In evaluating Siskiyou County Superior Court's request for 1.0 new judgeship, the advisory committee considered the following:

- Workload indicators do not appear to support the court's request for a new judgeship.
- Judicial position equivalents indicate the court is using .70 judicial positions above that authorized.
- There appears to be no attempt to coordinate with any other court.
- The court's qualitative report does not show any clear and critical need for additional judgeships beyond that recommended by the advisory committee.
- The report did not adequately indicate the adverse consequences to the court of not adding a judgeship.

Recommendation

Do not approve the Siskiyou County Superior Court's request for 1.0 new judgeship.

Appeal

The court appealed the committee's recommendation for no new judgeships. In evaluating the court's appeal, the committee considered the items listed above. The committee determined that the additional information provided by the court did not demonstrate a clear and critical need for a new judgeship. The committee's recommendation is for no new judgeships.

SOLANO COUNTY

Solano County Superior Court

Summary of Request

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commissioners	Referees
9.6	7.0	3.0	5.0	0	0

The court uses county-paid pro tem judges for 64 days of compensated service. They also has pro bono pro tems who do protective orders in family law – 550 a year.

Judicial Needs Evaluation

In evaluating Solano County Superior Court's request for 5.0 new judgeships, the advisory committee considered:

- Workload indicators do appear to support the court's request for additional judgeships.
- The court's judicial position equivalent is consistent with its authorized judicial positions.
- There appears to be limited coordination between the superior and municipal courts in Solano County.
- The court's qualitative report and supplemental information show a clear and critical need for additional judgeships.

Recommendation

Approve the creation of 2.0 new judgeships for the Solano County Superior Court.

Appeal

The court filed an appeal to solidify its position in the ranking. However, since the total number of judgeships approved due to the appeals did not exceed the preliminary recommendation of 61 new judgeships, and because the procedure for ranking would take place after the meeting, the advisory committee took no action on courts' requests for consideration of their position in the ranking schedule.

SONOMA COUNTY**Sonoma County Superior and Municipal Courts****Summary of Request**

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commis- sioners	Referees
19.5	15.0	4.0	1.0	0	0

The court uses referees and pro tems, though they do not indicate the number of cases on which these were used. The court has received 2.7 full-time equivalent's from pro tems and retired judges.

Judicial Needs Evaluation

In evaluating Sonoma County Superior and Municipal Court's request for a new superior court judgeship, the advisory committee considered the following:

- Workload indicators appear to support the court's request for an additional superior court judgeship.
- Judicial position equivalents indicate the superior court is using .50 judicial positions above that authorized by statute.
- The superior and municipal courts are consolidated.
- The court's qualitative report shows a clear and critical need for the additional superior court judgeship requested.

Recommendation

Approve the creation of 1.0 new judgeship for the Sonoma County Superior and Municipal Courts.

Appeal

The court did not appeal the committee's recommendation.

STANISLAUS COUNTY

Stanislaus County Superior Court

Summary of Request

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commis- sioners	Referees
11.3	8.0	3.0	3.0	1.0	0

The court utilized assigned judges for 207 days last year.

Judicial Needs Evaluation

In evaluating Stanislaus County Superior Court's request for 2.0 new judgeships and a commissioner position, the advisory committee considered the following:

- Workload indicators appear to support the court's request for an additional judgeship.
- The superior and municipal court in the county are moderately coordinated. Judges have received lengthy cross-assignments to hear all matters regardless of jurisdiction.
- The court's qualitative report shows a clear need for an additional judgeship.

Recommendation

Approve the creation of 1.0 new judgeship for the Stanislaus County Superior Court.

Appeal

The court appealed the recommendation of the committee requesting a reevaluation of its request for 2.0 new judgeships. In evaluating the court's appeal, the committee considered the items listed above. The committee determined that the additional information provided by the court did not demonstrate a clear and critical need for additional judgeships beyond that already approved. The committee's recommendation is for no additional judgeships beyond the 1.0 already approved.

Stanislaus County Municipal Court

Summary of Request

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commissioners	Referees
8.3	8.0	1.0	1.0	0	0

The court utilized pro tems for 40 days last year.

Judicial Needs Evaluation

In evaluating Stanislaus County Municipal Court's request for 1.0 new judgeships, the advisory committee considered the following:

- Workload indicators do not appear to support the court's request for an additional judgeship.
- The superior and municipal court in the county are moderately coordinated. Judges have received lengthy cross-assignments to hear all matters regardless of jurisdiction.
- The court's qualitative report does not show a clear and critical need for an additional judgeship.
- The court's judicial position equivalent does not appear to support the court's request for an additional judgeship.

Recommendation

Do not approve the creation of 1.0 new judgeships for the Stanislaus County Municipal Court.

Appeal

Not applicable.

VENTURA COUNTY**Ventura County Superior and Municipal Courts****Summary of Request**

Judicial Position Equivalent as of 6/30/94	Authorized Judicial Positions by Type as of 6/30/94		Number of Requested Judicial Positions by Type		
	Judges	Commissioners & Referees	Judges	Commissioners	Referees
32.9	27.0	2.0	7.0	0	0

Judicial Needs Evaluation

In evaluating Ventura County Superior and Municipal Court's request for 5.0 superior and 2.0 new municipal court judges, the advisory committee considered the following:

- Workload indicators appear to support an additional superior court judgeship.
- Judicial position equivalents indicate the superior and municipal courts are using a combined total of 3.9 judicial positions above that authorized by statute.
- The superior and municipal courts are totally unified administratively. They have been discussing judicial unification.
- The court's qualitative report shows a clear need for an additional judge in the superior court.

Recommendation

Approve the creation of 1.0 new judgeship for the Ventura County Superior and Municipal Courts.

Appeal

The court filed an appeal to solidify its position in the ranking. However, since the total number of judgeships approved due to the appeals did not exceed the preliminary recommendation of 61 new judgeships, and because the procedure for ranking would take place after the meeting, the advisory committee took no action on courts' requests for consideration of their position in the ranking schedule.

Appendix

Working Principles Utilized by the Judgeship Needs Advisory Committee

The following represents working principles or guidelines used by the Judgeship Needs Advisory Committee in evaluating trial court requests for new judicial positions:

1. Committee did not recommend a judge where the increased workload appeared to justify less than a full-time judge.
2. Committee did not recommend partial subordinate judicial positions, e.g., .50 commissioner.
3. Committee viewed trial courts that were coordinated more favorably than those that were not coordinated.
4. Vacancies and long-term illness, child care, or assignment to the Court of Appeal generally was not considered because of the expectation that vacancies would be filled, and assigned judges or pro tems could be used to back fill extended illnesses, vacancies, or judicial assignments.
5. Committee did not recommend judicial positions for anticipated increases in workload, e.g., as yet unrealized caseload from "three strikes" or prison construction, either planned or in progress, but rather considered requests according to current need.
6. In instances where a court requested a judge to perform duties that are performed by subordinate judicial officers in other courts of similar size and caseload, the committee based its decision on the type of position the court requested as long as there was a demonstrated need for the position.
7. Regarding the conversion of a commissioner to a judge, if the workload was appropriate and justified the request, it was approved.
8. Committee considered best practices regarding case management, i.e., "doing the right things, and doing them right."
9. Committee reviewed and considered judicial position equivalents.
10. Committee considered use of pro tems by a court to assist with caseload and judicial vacancies.
11. Committee considered caseload comparisons with courts of similar size and caseload, primarily in the case of small courts.
12. The more articulate and complete the report, the better able the committee was to assess need, as the committee was unable to "fill in the blanks" for incomplete or less persuasive reports.
13. Committee favorably considered a court's willingness to participate in the judgeship needs process.
14. Committee reviewed increases in caseload, from multi-year comparison, to determine whether they were short-term in nature, as opposed to steady growth.

